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DATE: 9/20/06

Number of Pages to Follow (including cover sheet) 16

SEND TO: United States Patent Office

Examiner: M. Kieners

Group Art Unit: 2143

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Docket No. AVS 9700 00748US1 Serial No. 09/14,725 Atty: J.B. KRAFT

Applicant: G.F. McBrearty et al

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Fees: Amendment ☐ Notice of Appeal ☐ Appeal Brief ☐ Other ☐

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PATENT
09/714,715

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: : Group Art Unit: 2143
: Examiner: Kianersi, Mitra
Gerald F. McBrearty et al. : Intellectual Property
Serial No: 09/714,725 : Law Department - 4054
Filed: 11/16/2000 : International Business
Title: LINKING A USER : Machines Corporation
SELECTED SEQUENCE OF RECEIVED : 11400 Burnet Road
WORLD WIDE WEB DOCUMENTS INTO : Austin, Texas 78758
A STORED DOCUMENT STRING : Customer No. 32,329
AVAILABLE TO THE USER AT A :
RECEIVING WEB STATION :
Date: 09/20/06 :

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence including the present Reply Brief (in triplicate) is being transmitted via facsimile to USPTO, Group Art Unit 2145 at telephone number 571-273-8300, and to the attention of Examiner Mitra Kianersi on 09/20/06.

J. P. KRAFT 9/20/06
J. P. KRAFT

REPLY BRIEF ON APPEAL
BEFORE THE BOARD OF APPEALS
AND INTERFERENCES

Commissioner for Patents
P.O.Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Reply Brief to the Examiner's Answer mailed July 26, 2006.

In the Answer, the Examiner makes a fresh argument which Applicants wish to address.

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To briefly review the issues in this Appeal, the independent claims 1, 8, and 15 as well as most of the dependent claims are rejected under 35 U.S.C. 102(e) as anticipated by Bauersfeld et al. (US6,195,679).

Both the present invention and Bauersfeld are directed to searching or browsing on the Work Wide Web i.e. backtracking through where the user has been and passed in his navigation in the Web in a particular session.

In the Brief on Appeal, Appellants argued that a rejection based on anticipation under 35 U.S.C. 102, must expressly or impliedly teach every element of invention without modification, and that Examiner's application of the Bauersfeld patent did not meet this standard for the following reasons.

The present claimed invention does the tracking of a browsing session by starting with a starter received Web document, and then selecting a set of subsequently received Web documents as a set of subsequent or next documents using means for creating a hyperlink in each of the starter and next documents respectively to their next document. The actual and received starter and next documents are stored at the receiving display station to thereby store a selected string of linked actual Web documents or pages at the receiving station.

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The above described element of this invention missing in the Bauersfeld disclosure is underlined in the following representative Claim 1:

1. In a World Wide Web (Web) communication network with user access via a plurality of data processor controlled interactive receiving display stations for displaying received hypertext documents of at least one display page containing embedded hyperlinks to other hypertext documents accessible from sources on the Web, a system enabling a user to link and store a sequence of selected hypertext documents comprising:

means at a receiving display station for designating a received Web document as a starter document;

means for selecting a subsequently received Web document as a first next document;

means for creating a hyperlink in said starter document to said first next document; and

means for storing said starter and next documents at said receiving display station.

Bauersfeld fails to disclose means for creating a hyperlink in each of the starter and next documents respectively to their next document. There are no hyperlinks whatsoever created in Bauersfeld's Web documents in either a starter or next document.

In the Final Rejection Examiner had argued that the "Forward" 404 button in a history tool bar, Fig. 4, in Bauersfeld as equivalent to a hyperlink in the present hypertext Web documents which links the Web document to a subsequent Web document.

In the Appeal Brief, Appellants responded that a hyperlink in a Web document was not a tracking button in a tool bar in the display interface for presenting the Web

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document. Applicants pointed the recognized art definition of a Hyperlink in the Microsoft Computer Dictionary, 5th Edition, 2002, Redmond, Washington:

"A connection between an element in a hypertext document andanother document..."

Accordingly, Appellants argued that the "Forward" and "Back" buttons in Bauersfeld are not links in any hypertext documents. The buttons merely sequentially move a sequence of Web documents forward and back. The buttons are clearly not in any specific hypertext Web document. The same buttons can move any number of sequential Web documents in Bauersfeld. The Forward and Back buttons in the Tool Bar of Bauersfeld are not in any hypertext Web document in a sequence of Web documents. The same Forward and Back buttons are permanently fixed in the toolbar 401, 501, or 601. The toolbar is not a hypertext document. It is part of display station permanent Graphical User Interface.

In the Answer, Examiner argues that the tool bar Forward Button in Bauersfeld is equivalent to Applicants' hyperlink in that it enables the user to select, create, and save paths of Web documents as a user in a browsing session. Examiner argues that in both cases the user selects his path navigating through the Web documents, and the path is saved so that he may subsequently traverse the path.

At best, Examiner argues that Bauersfeld achieves equivalent results. However, Appellants submit that even if, as Examiner argues, the results are equivalent, the means and method by which these results are achieved by the present invention, is not disclosed by Bauersfeld. The present invention still offers a new system and method for achieving the results which is not disclosed in Bauersfeld. Bauersfeld still does not disclose means for creating a hyperlink in said starter document to said first next document. 35 U.S.C. 102 still requires that the reference

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expressly or impliedly teach every element of invention without modification. It would certainly take very significant modification for the "Forward" button of Bauersfeld to function as a hyperlink in a Web document in the sequence of Web documents of the present invention.

Accordingly, for the above reasons and for the reasons set forth in the Brief on Appeal, it is respectfully requested that the Final Rejection be reversed, and that claims 1-21 be found to be in condition for allowance.

Respectfully submitted

J. B. Kraft 9/20/06
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